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BELL, BOYD & LLOYD, LLC			SHINGLES, KRISTIE D	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/874,022

Applicant(s)

EDECKER ET AL.

Examiner

Kristie Shingles

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Per Applicant's Request for Continued Examination:

*Applicant has not amended any claims.
Claims 1-61 are pending.*

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/16/2005 has been entered.

37 CFR 1.131 - AFFIDAVIT/DECLARATION

2. The affidavit filed on 12/16/2005 under 37 CFR 1.131 is sufficient to overcome the *Glezerman* (US Publication 2003/0207237) and *Whitfield* (US Publication 2002/0002491) reference. The rejections under *Glezerman* and *Whitfield* are therefore withdrawn.

Response to Arguments

3. Applicant's arguments with respect to claims 1-61 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. **Claims 1-61** are rejected under 35 U.S.C. 102(a) as being anticipated by *Kamachi et al* (US 6,154,211).

a. **Regarding claim 1**, *Kamachi et al* teach a networked computer system for enabling a plurality of users to access a virtual reality environment and interact in said virtual reality environment, said system comprising:

- data representing the virtual reality environment including static virtual reality data and dynamic virtual reality data (col.7 lines 6-44);
- a server host adapted to receive and store data representing the virtual reality environment and adapted to change, store and transmit said dynamic virtual reality data representing the virtual reality environment (col.7 lines 29-44, col.9 lines 35-65; host B comprises a shared server terminal that stores and controls the update objects of the virtual reality environment);
- a plurality of servers adapted to store and transmit said data representing the virtual reality environment and data representing the location of the server host (col.7 lines 6-28 and 45-59; host A comprises an information server terminal with static data and host C comprises a mapping server with data including the address of host B and the shared server terminal); and
- said client host adapted to communicate with at least one of the servers to obtain said data representing the location of the server host to locate the server host, and said client host adapted to receive said dynamic virtual reality data from the server host and to receive said static virtual reality data from one of the servers to access said virtual reality environment (col.7 lines 45-67, col.8 lines 25-46, col.9 line 66-col.10 line 58; client communicates with mapping server terminal of host C to locate the shared server terminal that controls the virtual reality environment, and receives static data from the information server terminal of host A).

b. **Regarding claim 16**, *Kamachi et al* teach a method for users to interact within a virtual reality environment, said method comprising the steps of:

- providing a plurality of hosts and servers interconnected with the hosts wherein the servers store and transmit data including informational data and static virtual reality data to the hosts (col.7 lines 6-28 and 45-59);
- locating the hosts by utilizing the informational data from the servers (col.7 lines 45-59, col.9 lines 1-4);
- establishing a network communication between the hosts to access the virtual reality environment wherein at least one of the hosts acts as a server host for transmitting dynamic virtual reality data to at least one other host (Figures 1 and 2, col.7 lines 29-44, col.9 lines 60-65).

c. **Regarding claim 30**, *Kamachi et al* teach a method of registering a host and a user within a virtual reality networked computer system, said method comprising the steps of:

- establishing a network communication between a host and a server (col.7 lines 6-67, col.8 lines 34-50);
- issuing a registration request from the host to the server (col.17 lines 9-23);
- transmitting the registration request to at least one other server (col.16 line 64-col.17 line 7, col.18 line 58-col.19 line 8);
- determining the server nearest to the registering host and user (col.19 line 51-col.20 line 50);
- assigning unique identifiers to the host and the user (col.17 lines 9-23, col.20 lines 14-33);
- transmitting informational data from the host and user to the nearest located server (col.17 lines 23-42, col.20 lines 38-63, col.21 lines 21-26); and
- updating at least one database associated with the nearest located server with the informational data (col.22 lines 42-52, col.23 lines 13-50).

d. **Regarding claim 32**, *Kamachi et al* teach a method of locating a user and a host within a virtual reality networked computer system, said method comprising the steps of:

- issuing a location request from a host to a low level server (col.20 lines 38-63);
- transmitting the location request from the low level server to at least one upper level server (col.20 lines 13-63);
- transmitting the location request from said upper level server to a plurality of other lower level servers until another host having a host name associated with the location request is located (col.20 lines 1-63);
- establishing a network communication between said hosts (col.20 lines 51-67, col.21 line 41-col.22 line 4);
- determining a location of the users (col.19 lines 16-57); and
- establishing a network communication with the users via the hosts associated with users (col.19 lines 16-57).

e. **Regarding claim 35**, *Kamachi et al* teach a method of operating a virtual reality environment in an active mode within a networked computer system, said method comprising the steps of:

- establishing a network communication between a client host and server host via a plurality of servers each associated with the client hosts and the server hosts (col.20 lines 2-15, col.20 line 58-col.21 line 6, col.21 lines 51-67);
- activating the virtual reality environment associated with the server host (col.21 lines 27-31);
- transmitting data representing the virtual reality environment from the server host to the client host (col.18 line 58-col.19 line 15);
- interacting within the virtual reality environment (col.18 line 58-col.19 line 15, col.20 line 58-col.21 line 6); and
- continuing the network communication between the client host and the server host (col.21 lines 27-31, col.21 line 61-col.22 line 4).

f. **Regarding claim 39**, *Kamachi et al* teach a method of operating a virtual reality environment within a networked computer system in a passive mode, said method comprising the steps of:

- establishing a network communication between a client host and server host via a plurality of servers associated with the client host and server host (col.18 line 62-col.19 line 7);
- transmitting data representing a copy of the virtual reality environment from the server host to the client host (col.19 lines 8-32, col.29 lines 56-63);
- discontinuing the network communication between the client host and the server host (col.17 lines 45-56, col.19 lines 33-38); and
- activating the transmitted data representing a copy of the virtual reality environment at the client host (col.18 lines 23-30, col.19 lines 33-38).

g. **Regarding claim 41**, *Kamachi et al* teach a method of temporarily relocating networked computer system, said method comprising the steps of:

- establishing a network communication between the host and home session server associated with the host (col.19 line 50-col.20 line 10);
- calculating a logical distance between the host and the home session server (col.19 lines 50-57);
- calculating a logical distance between the host and a plurality of session servers in geographic proximity to the host (col.20 lines 14-50);
- redirecting the host to the session server other than the home session server if the logical distance between the host and the home session server is greater than the logical distance of at least one of the session server in network proximity to the host (col.20 lines 34-50, col.21 lines 1-26); and
- updating the home session server with informational data associated with redirecting the hosts (col.20 lines 47-67, col.21 lines 18-26).

h. **Regarding claim 42, *Kamachi et al*** teach a method of permanently relocating a host within a virtual reality networked computer system, said method comprising the steps of:

- establishing a network communication between a host and home session server associated with the host (col.19 line 50-col.20 line 10);
- moving the host to a session server other than home session server during a network expansion (col.21 lines 9-42);
- updating the home server with informational data associated with moving the host (col.21 lines 2-50).

i. **Regarding claim 43, *Kamachi et al*** teach a method of teleporting users between a plurality of virtual reality environments, said method comprising the steps of:

- creating a user group associated with a departure virtual reality environment containing at least one user (col.5 lines 1-13, col.7 lines 60-67, col.8 lines 7-50, col.9 lines 15-20);
- establishing a continuous network communication between each of the hosts associated with the user group (Figures 1 and 2, col.8 lines 7-39, col.9 lines 15-20);
- identifying a destination virtual reality environment (Figure 1, col.8 lines 34-50);
- transmitting data representing the destination virtual reality environment from a server host to each of the hosts of the user group (Figure 1, col.8 lines 7-50, col.9 lines 1-4); and
- establishing a network connection between the server host and the hosts of the user group within the destination virtual reality environment (Figure 1, col.8 lines 34-67, col.9 lines 5-20).

j. **Regarding claim 45, *Kamachi et al*** teach a host computer for accessing a networked virtual reality environment, said host computer comprising:

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- a data storage device which is adapted to store data representing the virtual reality environment and program code for accessing and displaying the virtual reality environment, said program code including means for storing data representing the virtual reality environment, means for executing a plurality of commands to activate the virtual reality environment, means for running the virtual reality environment once activated, and means for enabling the host to establish network communications with at least one other host within the virtual reality environment (Figures 1 and 2, col.8 lines 7-67, col.9 lines 15-20);
- a display device (col.9 lines 43-47, col.10 lines 17-40);
- a user input device (col.10 lines 24-27); and
- a processor connected to said data storage device, display device and user input device (col.10 lines 11-40).

k. **Regarding claim 49**, *Kamachi et al* teach a computer program product on a media that is stored on a host computer for accessing a networked virtual reality environment, said computer program product comprising:

- computer readable code means for storing data representing the virtual reality environment (col.9 lines 26-34 and 57-62);
- computer readable code means for executing a plurality of commands to activate the virtual reality environment (col.9 lines 30-35);
- computer readable code means for running the virtual reality environment once activated (col.9 lines 30-65); and
- computer readable code means for enabling the host to establish a network communication with at least one other host for accessing the virtual reality environment (Figure 1, col.9 lines 1-4 and 42-65).

l. **Claim 61** contains limitations that are substantially equivalent to claim 49 and is therefore rejected under the same basis.

m. **Regarding claim 53**, *Kamachi et al* teach a data server for facilitating network communication between a plurality of hosts within a virtual reality environment, said data server comprising:

- means for storing data representing the virtual reality environment (col.7 lines 24-27); and
- means for transmitting the data representing the virtual reality environment to a host computer which receives the virtual reality data to establish a networked communication session with a plurality of other hosts within the virtual reality environment (col.7 lines 29-44, col.9 lines 60-65, col.29 lines 56-63).

n. **Regarding claim 56**, *Kamachi et al* teach a session server for facilitating network communication between a plurality of hosts within a virtual reality environment, said session server comprising:

- means for transmitting dynamic data representing the virtual reality environment between the hosts (col.7 lines 29-44, col.29 lines 56-63); and
- means for storing and transmitting informational data to locate the hosts (col.7 lines 45-59, col.9 lines 1-4, col.9 line 66- col.10 line 8, col.14 lines 10-33, col.20 lines 1-63).

o. **Claim 60** contains limitations that are substantially equivalent to claim 1 and is therefore rejected under the same basis.

p. **Regarding claim 2**, *Kamachi et al* teach the system of Claim 1, wherein at least one of the servers includes a data server for storing and transmitting said static virtual reality data (col.7 lines 6-23).

q. **Regarding claim 3**, *Kamachi et al* teach the system of Claim 1, wherein the servers include a plurality of session servers for storing and transmitting informational data

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associated with the server host and the client host to locate the client host and server host (col.7 lines 45-59, col.9 lines 1-4, col.9 line 66- col.10 line 8, col.14 lines 10-33, col.20 lines 1-63).

r. **Regarding claim 4**, *Kamachi et al* teach the system of Claim 3, wherein the session servers include a database for storing updated informational data (col.7 lines 31-59, col.9 line 66-col.10 line 8, col.14 lines 18-33).

s. **Regarding claim 5**, *Kamachi et al* teach the system of Claim 1, wherein the servers include a plurality of name servers for storing and transmitting data associated with a plurality of session servers and a plurality of data servers (col.7 lines 45-59, col.9 lines 1-4, col.10 lines 41-58, col.20 lines 13-46).

t. **Regarding claim 6**, *Kamachi et al* teach the system of Claim 5, wherein the data includes a session server name, a session server IP address and a session server status and routing information (col.10 lines 41-58, col.14 lines 34-54, col.16 line 64-col.17 line 23, col.29 lines 26-29).

u. **Regarding claim 7**, *Kamachi et al* teach the system of Claim 1, which includes means for assigning access restrictions to the server host (col.21 lines 2-45).

v. **Regarding claim 8**, *Kamachi et al* teach the system of Claims 1, which includes means for registering the client host and server host with at least one of the servers (col.17 lines 8-23, col.19 lines 50-57).

w. **Claims 29 and 59** are substantially equivalent to claim 8 and are therefore rejected under the same basis.

x. **Regarding claim 9**, *Kamachi et al* teach the system of Claim 1, wherein the virtual reality environment is run in an active mode between the client host and the server host (col.21 lines 27-32).

y. **Regarding claim 10**, *Kamachi et al* teach the system of Claim 9, wherein the client host and the server host establish a continuous network communication with one another to facilitate interaction in the virtual reality environment between a user of the server host and a user of the client host (col.7 lines 60-67, col.9 lines 15-20, col.21 line 61-col.22 line 4).

z. **Regarding claim 11**, *Kamachi et al* teach the system of Claim 9, wherein the server host and the client host transmit dynamic virtual reality data to each other to update the virtual reality environment (col.7 lines 29-44, col.10 lines 41-50, col.15 line 13-col.16 line 23).

aa. **Regarding claim 12**, *Kamachi et al* teach the system of Claim 11, wherein the server host simultaneously functions as a server host and a client host relative to a plurality of different virtual reality environments (col.15 line 13-col.16 line 23, col.19 line 50-col.20 line 67, col.21 lines 2-45).

bb. **Claim 36** is substantially equivalent to claim 35 and is therefore rejected under the same basis.

cc. **Regarding claim 13**, *Kamachi et al* teach the system of Claim 1, wherein the virtual reality environment is run in a passive mode between the client host and the server host (col.17 lines 45-56, col.19 lines 8-38).

dd. **Claims 28 and 37** are substantially equivalent to claim 13 and are therefore rejected under the same basis.

ee. **Regarding claim 14**, *Kamachi et al* teach the system of Claim 13, wherein the server host transmits dynamic data representing a copy of the virtual reality environment at a particular time to the client host (col.21 lines 52-60, col.29 lines 56-63).

ff. **Regarding claim 15**, *Kamachi et al* teach the system of Claim 14, wherein a network communication between the client host and the server host is discontinued after the data representing a copy of the virtual reality environment at a particular time is transmitted to the client host (col.17 lines 45-56, col.19 lines 33-38).

gg. **Regarding claim 17**, *Kamachi et al* teach the method of Claim 16, which includes the step of performing a plurality of computer applications within the virtual reality environment (col.7 lines 6-67, col.8 line 46-col.10 line 58).

hh. **Regarding claim 18**, *Kamachi et al* teach the method of Claim 16, which includes the step of creating and customizing a personal virtual reality environment (col.10 lines 41-50, col.15 line 13-col.16 line 23).

ii. **Regarding claim 19**, *Kamachi et al* teach the method of Claim 18, wherein the personal virtual reality environment is a home or business environment (col.22 lines 13-17, col.28 lines 1-57).

jj. **Regarding claim 20**, *Kamachi et al* teach the method of Claim 16, which includes the step of establishing the network communication between the users within the virtual reality environment (Figure 1, col.8 lines 34-67, col.9 lines 5-20col.20 lines 2-15, col.20 line 58-col.21 line 6, col.21 lines 51-67).

kk. **Regarding claim 21**, *Kamachi et al* teach the method of Claim 16, which includes the step of performing dynamic host roaming (col.21 lines 2-50).

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ll. **Regarding claim 22**, *Kamachi et al* teach the method of Claim 16, which includes the step of performing host name aliasing (col.20 lines 14-46).

mm. **Regarding claim 23**, *Kamachi et al* teach the method of Claim 16, wherein the locating step includes locating the hosts in a follow user mode (col.19 line 62-col.20 line 6).

nn. **Claim 34** is substantially equivalent to claim 23 and is therefore rejected under the same basis.

oo. **Regarding claim 24**, *Kamachi et al* teach the method of Claim 16, wherein the locating step includes locating the hosts in a visit user home mode (col.15 lines 15-27, col.16 lines 3-14, col.16 line 64-col.17 line 22, col.19 line 62-col.20 line 6, col.20 lines 51-63).

pp. **Claim 33** is substantially equivalent to claim 24 and is therefore rejected under the same basis.

qq. **Regarding claim 25**, *Kamachi et al* teach the method of Claim 16, wherein the network communication step includes establishing the network communication by multi-cast messaging (col.17 lines 35-42).

rr. **Claim 57** is substantially equivalent to claim 25 and is therefore rejected under the same basis.

ss. **Regarding claim 26**, *Kamachi et al* teach the method of Claim 16, wherein the network communication step includes establishing the network communication by uni-cast messaging (col.15 lines 13-35, col.17 lines 2-35).

tt. **Claim 58** is substantially equivalent to claim 26 and is therefore rejected under the same basis.

uu. **Regarding claim 27**, *Kamachi et al* teach the method of Claim 16, wherein the hosts access the virtual reality environment in an active mode (col.21 lines 28-31).

vv. **Claim 38** is substantially equivalent to claim 27 and is therefore rejected under the same basis.

ww. **Regarding claim 31**, *Kamachi et al* teach the method of Claim 30, which includes the steps of transmitting the registration request from a plurality of higher level name servers to a plurality of lower level name servers and session servers until the session server nearest to the registering host is located (col.20 lines 20-50, col.21 lines 1-26).

xx. **Regarding claim 40**, *Kamachi et al* teach the method of Claim 39, which includes creating a user group by establishing a network communication between the client host and an additional other client hosts that each include data representing a copy of the virtual reality environment (col.5 lines 1-13, col.7 lines 60-67, col.8 lines 7-50, col.9 lines 1-4 and 15-20, col.29 lines 56-63).

yy. **Regarding claim 44**, *Kamachi et al* teach the method of Claim 43, which includes the steps of causing each of the users of the user group to access a teleporter via an entry point and a corresponding entry point clone each associated with the departure virtual reality environment; and establishing the continuous network communication between the hosts of the user group each located within the teleporter (col.5 lines 1-13, col.18 line 51-col.19 line 32, col.19 line 58-col.20 line 6, col.24 line 37-col.25 line 30, col.28 lines 34-46).

zz. **Regarding claim 46**, *Kamachi et al* teach the host computer of Claim 45, wherein the data representing the virtual reality environment includes static virtual reality data and dynamic virtual reality data (col.7 lines 6-52).

aaa. **Claim 50** is substantially equivalent to claim 46 and is therefore rejected under the same basis.

bbb. **Regarding claim 47**, *Kamachi et al* teach the host computer of Claim 46, wherein the program code includes means for enabling the host computer to establish network communications with a data server to receive the static virtual reality data (Figure 1, col.7 lines 6-28).

ccc. **Claims 51 and 54** are substantially equivalent to claim 47 and are therefore rejected under the same basis.

ddd. **Regarding claim 48**, *Kamachi et al* teach the host computer of Claim 45, wherein the host computer establishes network communication with the at least one other host via a session server associated with the host computer (Figures 1 and 2, col.7 line 6-col.8 line 6).

eee. **Claim 52** is substantially equivalent to claim 48 and is therefore rejected under the same basis.

fff. **Regarding claim 55**, *Kamachi et al* teach the data server of Claim 53, wherein the host computer receives the data representing the virtual reality environment in a single transmission from the data server (col.7 lines 60-67, col.15 lines 13-35, col.17 lines 2-35).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: *Benman* (US 6,798,407), *Powers et al* (US 6,912,565), *Mitchell et al* (US 6,349,301), *Barrus et al* (US 6,058,397), *Matsuda et al* (US 6,496,207), *Brush II et al* (US 5,884,029).

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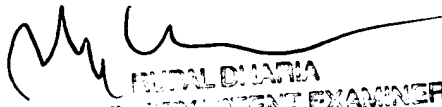
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds


RUPAL DHARIA
SENIOR PATENT EXAMINER